

COURT UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

EARL DAVIS,

Index No. 07 CV 4165

Plaintiff(s)

against

SALANDER O'REILLY GALLERIES LLC F/K/A SALANDER O'REILLY
GALLERIES INC. AND LAWRENCE B. SALANDER,

Defendant(s)

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

IN A CIVIL CASE

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at BROOKLYN, NEW YORK

That on 6/5/07

at 4:18 PM., at 22 EAST 71ST STREET, NEW YORK, NEW YORK

deponent served the within summons, and complaint on LAWRENCE B. SALANDER

defendant therein named,

- INDIVIDUAL
1. ☐ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
- CORPORATION
2. ☐ a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.
- SUITABLE AGE PERSON
3. ☒ by delivering thereat a true copy of each to SARAH ARNETT (CO-WORKER) a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
- AFFIXING TO DOOR, ETC.
4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILED ON: 6/6/07 AT 10:00 A.M.

C/O SALANDER O'REILLY GALLERIES LLC

MAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☒MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at 63 E. 82ND STREET, NEW YORK, NY 10028 and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at 22 E. 71ST STREET, NEW YORK, N.Y. 10021 in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3☒

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input checked="" type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. ~~Recipient wore ordinary civilian clothes and no military uniform.~~ The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on
6/6/07

IRVING BOTWINICK
Notary Public, State of New York
No. 01BO4657147
Qualified in Rockland County
Commission Expires Oct. 31, 2009

PRINT NAME BENEATH SIGNATURE
JEROME E. GOLDMAN

License No. 1239192

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EARL DAVIS,

Plaintiff,

-AGAINST-

SALANDER O'REILLY GALLERIES LLC
F/K/A SALANDER O'REILLY GALLERIES
INC. AND LAWRENCE B. SALANDER,

Defendants.
-----X

Case No.
07 CV 4165

RIDER TO AFFIDAVIT
OF SERVICE

- SUMMONS IN A CIVIL CASE
- COMPLAINT
- CIVIL COVER SHEET
- INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN
DATED MARCH 21, 2001
- INDIVIDUAL PRACTICES OF JUDGE SIDNEY H. STEIN REVISED
OCTOBER 20, 2006
- THIRD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC
CASE OR APPEAL DATED JUNE 7, 2004
- GUIDELINES FOR ELECTRONIC CASE FILING DATED DECEMBER 1,
2003
- PROCEDURES FOR ELECTRONIC CASE FILING DATED MARCH 6,
2003